

03- R-0243

Entered - 05/20/02 - sb  
CL02L0371 - DIANNE C. MITCHELL

CLAIM OF: **MARTEZ ANTOINE JOHNSON,**  
through his attorney,  
**Fred Lerner**  
**2857 North Druid Hills Road, NE**  
**Atlanta, Georgia 30329**

**ADOPTED BY**  
**MAR 03 2003**  
**COUNCIL**

For damages alleged to have been sustained as a result of a vehicular accident on March 6, 2002 at Simpson Road and Burbank Drive.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **MARTEZ ANTOINE JOHNSON, through his attorney, Fred Lerner** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on March 6, 2002 at Simpson Road and Burbank Drive as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**  
**CITY ATTORNEY**

BY:

*Rosalind Rubens Newell*  
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY**

**FAVORABLE REPORT**

COMM: *Public Safety*

DATE: *2-25-03*

CHAIR: *Cela Henderson*

*C. T. Martin*

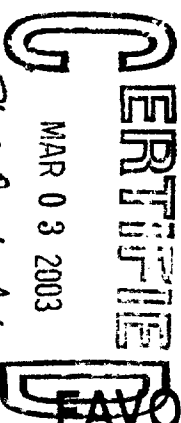
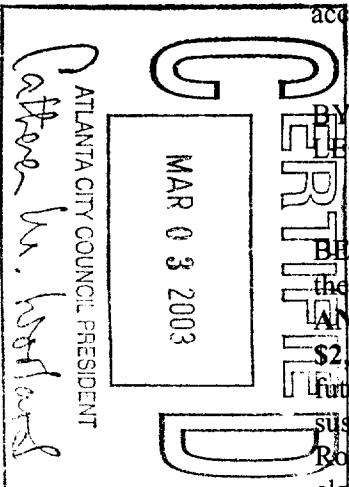
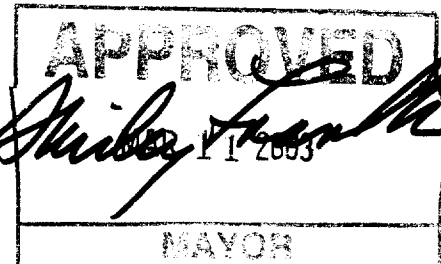
*May Norwood*

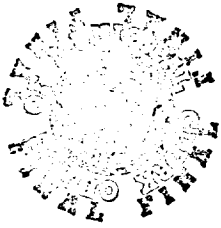
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**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**02-R-0243**

**A RESOLUTION**

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment **Martez Antoine Johnson, through his attorney, Fred Lerner** to in the sum of **\$2000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as **a result of a vehicular accident on March 6, 2002 at Simpson Road and Burbank Drive** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

**MAR 03, 2003  
MAR 11, 2003**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0371

Date: February 4, 2003

Claimant /Victim MARTEZ ANTOINE JOHNSON  
BY: (Atty) Fred Lerner  
Address: 2857 North Druid Hills Road, NE, Atlanta, Georgia 30329  
Subrogation: Claim for Property damage \$ Bodily Injury \$ **2,475.00+**  
Date of Notice: 05/08/02 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 03/06/02 Place: Simpson Road and Burbank Drive  
Department Police Bureau:         
Employee involved M. Gaither Disciplinary Action: Two Days Suspension

NATURE OF CLAIM: The driver of the City vehicle made an improper left turn in front to the claimant's vehicle causing damages in the above amount.

**INVESTIGATION:**

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police X Dept Report X Other         
Traffic citations issued: City Driver X Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

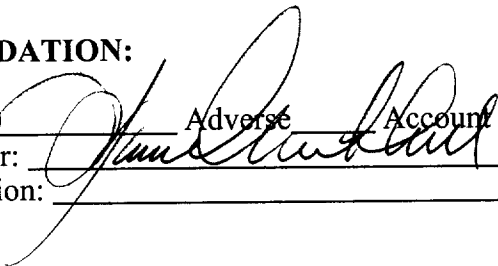
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial         
Improper Notice        More than Six Months        Other        Damages reasonable         
City not involved        Offer rejected        Compromise settlement X  
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent X Joint        Claim Abandoned       

Respectfully submitted,

  
**INVESTIGATOR - DIANNE C. MITCHELL**

**RECOMMENDATION:**

Pay \$ **2,000.00** Adverse        Account charged: 1A01 X 2J01        2H01        2P01         
Claims Manager:  Concur/date **02 06 03**  
Committee Action:        Council Action

RCS# 4504  
3/03/03  
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT 1

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**3/03/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent  
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
36. 03-R-0250
37. 03-R-0251
38. 03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

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Consent I Vote: 12 Yeas; 0 Nays: (See RCS #4504)  
Item Removed from the Consent Agenda: 03-R-0321